



COMMONWEALTH of VIRGINIA

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COMMISSIONER

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From: Alison G. Land, FACHE
Commissioner, DBHDS

This "exclusive" list of intellectual assessment measures was compiled in accordance with § 19.2-264.3:1.1 of the Code of Virginia. Please note that any new editions, revisions, updates, or corrections to the measures listed here will be considered as included on the list, unless otherwise specified, from the date of publication of the new edition, revision update, or correction.

This list was compiled by five Virginia-licensed clinical psychologists who were selected for membership on the Panel. Each has extensive forensic mental health training or other relevant experience with the assessment of cognitive functioning. The Panel reviewed literature about testing in *Atkins* cases as well as general cognitive assessment measures. Special consideration was given to recommendations by the American Association on Intellectual and Developmental Disorders.

The Panel acted on behalf of DBHDS Commissioner Land as her designee. In addition to general validity and reliability issues, the Panel considered whether or not the measures were generally accepted in the field of clinical psychology, neuropsychology, and forensic psychology; and whether the measures can be used in diverse populations with consideration to culture and disabilities.

This list does not preclude the use of other psychological measures not included herein when conditions exist that make the use of these tests invalid or incomplete, such as language incompatibility (when well-validated translated measures are unavailable) or severely disabling conditions. If an evaluator deviates from this list, the evaluator should be prepared to justify using an instrument not on the list, in light of case specifics, ethical guidelines, and professional best practices. Evaluators are also encouraged to consult relevant professional ethics guidelines specific to test administration.

**DBHDS List of Standardized Measures of Intellectual Functioning:
Effective February 1, 2021**

The following measures are presented in a tiered approach, as the Panel does not believe that all measures included on this list should be considered equal for cognitive assessment, particularly in capital sentencing. However, it is appropriate to have multiple measures to choose from, so that psychologists can use different tests to account for practice effects, when there is suspicion that the individual has significant intellectual deficits, or when the individual is non-verbal. Forensic psychologists engaged in cognitive testing in the context of *Atkins* cases should be well versed in administering, scoring, and interpreting tests used in their assessments.

Nonverbal tests should not be the default assessment option chosen by English-proficient psychologists when a defendant is not proficient in English. Instead, assessment measures officially translated into the individual's language should be used, assuming a version is available. This will require administration by a psychologist or psychometrician who also speaks and reads this language. Interpreters should not be used to translate English measures into another language. Nonverbal measures of intelligence should only be used when someone is nonverbal, has a disability that precludes traditional testing measures, or when there are no other options for administration in the individual's preferred language.

Evaluators are encouraged to consider Tier 1 assessments first, and then move on to Tier 2 tests, and then Tier 3 tests, as appropriate.

Tier 1	
Name of Test	Publisher
Wechsler Adult Intelligence Scale—Fourth Edition (WAIS-IV), Published 2008 (includes versions translated into other languages)	Pearson, Inc. 330 Hudson St., Ste 7 New York, NY 10013

Tier 2	
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Name of Test	Publisher
Woodcock-Johnson IV—Tests of Cognitive Abilities (WJ-IV-COG), Published 2014	Riverside Insights One Pierce Place, Suite 900W Itasca, IL 60143
Tier 3	
Name of Test	Publisher
Stanford-Binet, 5 th Edition (SB5), Published 2003 (includes versions translated into other languages)	Western Psychological Services (WPS) 625 Alaska Ave. Torrance, CA 90503 PAR, Inc. 16204 N Florida Ave. Lutz, FL 33549

The Panel is aware that some measures offer electronic scoring options in addition to written administration. This document outlines the approved list of measures, but the administration method is left to the individual evaluator to decide.

The most up-to-date list of approved measures will be available on the DBHDS Office of Forensic Services webpage: www.dbhds.virginia.gov/forensic-services. Please contact Angela Torres, Ph.D., at DBHDS Office of Forensic Services, at 804-655-4431 or Angela.Torres@dbhds.virginia.gov, if you need additional information. The Panel will meet to review and revise this document every three years or earlier if necessary.